

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**BIG STONE GAP CALENDAR - FEBRUARY 9, 2005**

**(Telephone conference scheduled 11:00 a.m. - Court will Convene at 1:00 p.m.)**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**11:00 A.M. - TELEPHONE CONFERENCE**

|          |   |         |        |
|----------|---|---------|--------|
| Hastings | FIVE FORTY PARK CORPORATION   | 03-4746 | DIP/JJ |
|          | AP 03-203: Status conference (Discovery to be completed by 1/31)          |         |        |
|          | Debtor (Lori Thompson) v Pepsi Cola Bottling Co Inc of Norton (Copeland); |         |        |
|          | George E. Hunnicutt Jr (Maxwell) , Joseph F. Hunnicutt (Maxwell) and      |         |        |
|          | FNB Southeast (Maxwell)   |         |        |
|          | <i>==call to be initiated by plaintiff counsel (Lori Thompson)</i>        |         |        |

**1:00 P.M.- MISCELLANEOUS\***

(Originally noticed 2/2 @ 11:00 a.m.- Renoticed 2/3 @ 1:00 p.m. \*)

|          |  |         |        |
|----------|--|---------|--------|
| Copeland | APPALACHIAN RESOURCES INC  | 04-1871 | DIP/SL |
|          | Motion to Shorten Notice; Motion for Release of Administratively Held Funds      |         |        |
|          | filed 2/3; #245, by Official Unsecured Creditors Committee (Hutton)              |         |        |
|          | <i>Amended Notice filed on 2/3; # 246 to reschedule from 11:00 am to 1:00 pm</i> |         |        |
|          | <i>* <b><u>call at end of confirmation calendar</u></b></i>                      |         |        |
|          | <i>—see also at 2:00 p.m. re: R. Copeland fee matters</i>                        |         |        |

**1:00 P.M. - CHAPTER 13 CONFIRMATIONS**

|            |  |          |            |
|------------|--|----------|------------|
| Lamie      | FULLER & MILDRED HELBERT                                       | 04-74204 | Widener/S  |
|            | <b><i>Mod Plan filed 1/26; set for conf on 3/21 @ 1:00</i></b> |          |            |
|            | Trustee's show cause to dismiss or convert filed 11/24 #12     |          |            |
| <br>       |  |          |            |
| Hutchinson | C L & GLORIA STROUGH   | 04-74528 | Widener/VS |
|            | Plan filed 11/15; # 10   |          |            |
|            | <i>—note: Valuation scheduled 3/21 @ 1:00</i>                  |          |            |
| <br>       |  |          |            |
| Hutchinson | CLIFFORD OLINGER   | 04-74507 | Widener/JM |
|            | Plan filed 11/5; #5, 4   |          |            |

**1:00 P.M. - CHAPTER 13 CONFIRMATIONS**

|            |  |          |            |
|------------|--|----------|------------|
| Hutchinson | PHILIP & TINA CUPP<br>Plan filed 11/15; d/e # 5, 6 | 04-74562 | Widener/SJ |
|------------|--|----------|------------|

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| Harris | TERRY & DONNA MULLINS<br>Mod Plan filed 12/2, #13, 14 | 04-4003 | Widener/S |
|--------|---|---------|-----------|

Valuation: Managing Agent Gateway, filed 1/10; #19

|            |   |         |            |
|------------|---|---------|------------|
| Hutchinson | ROBERT & SHERRY MIDDLETON<br>Post Conf. Mod Plan filed 12/15; #29, 30 | 04-1898 | Widener/NS |
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| Harris | BENNIE SLUSS<br><i>-Mod Plan filed 1/14; set for 3/21 @ 1:00</i><br>Trustee Report, Obj & Showcause: Dismiss/convert, filed 12/28; #32 | 03-5291 | Widener/NS |
|--------|--|---------|------------|

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| Harris | GLENA VENTRO<br>Amended plan filed 12/27 d/e 51,52 | 02-02248 | Widener/JJ |
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**1:30 P.M. - MISCELLANEOUS**

|        |   |         |            |
|--------|---|---------|------------|
| Harris | FRED & SHARON TANKERSLEY-<br>Trustee Motion to Dismiss/convert, filed 11/9; #18 <i>contd from 12/7 &amp; 1/4</i><br><i>-ORDER of 1/31 withdrew trustee's motion</i> | 03-3854 | Widener/SJ |
|--------|---|---------|------------|

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|------------|--|----------|-----------|
| Hutchinson | MICHAEL KENDRICK<br>Motion for Relief - filed 1/12; #6,7 by SunTrust Bank (Zimm) | 04-74762 | Jessee/SJ |
|------------|--|----------|-----------|

**1:30 P.M. - MISCELLANEOUS**

|        |   |        |            |
|--------|---|--------|------------|
| Harris | LEONARD & AUTUMN MULLINS  | 02-892 | Widener/NS |
|        | Motion of Debtors #70 (filed 1/6) for new Trial on Trustee Motion to Dismiss case Granted by dismissal order of 1/4/05, #69 |        |            |
|        | <b>Obj:</b> filed by trustee (Widener) on 1/20; #72   |        |            |

|       |  |          |         |
|-------|--|----------|---------|
| Kobak | JEFFREY HOBBS  | 04-74311 | Wick/JM |
|       | Motion of Trustee to Vacate Order Dismissing Case entered 1/6/05 , filed 1/10; #33 |          |         |

Harris, Thad     JONATHAN & ANNA MULLINS                      04-74169                      Jessee/SL  
Motion for Relief from Stay: Wells Fargo Bank, NA # 6-10 (Jaffee) filed 11/23  
Response filed 12/6; #11 ; Movant certif filed 12/3; #10  
**-ORDER of 1/25 withdrew motion**

|        |   |        |             |
|--------|---|--------|-------------|
| Rasnic | PHILLIP & JANE JOHNSON  | 04-842 | Krippend/JJ |
|        | Motion of Trustee to Approve R9019 Compromise related to AP 04-7114<br>filed 1/21;d/e # 36 in case file; d/e # 8 & 9, in AP file. |        |             |
|        | <i>—appearance of trustee waived – to be contacted by phone in event any creditor<br/>appears as approved in 2/7 e-mail reply</i> |        |             |

Hutchinson      STEPHEN & TERESA SALYERS      7-03-04343•      Widener/JJ  
Trustee Motion to Dismiss or Convert, filed 9/23; d/e # 26 *contd fr11/2 & 12/7*

Hutchinson NORMA STURGILL 7-00-01666• Widener/SL  
Trustee Motion to Dismiss or convert, filed 9/24; d/e # 48 *contd fr 11/2 & 12/7*

**1:30 P.M. - MISCELLANEOUS**

Hutchinson DOUGLAS & SHEILA HAYES 7-99-03967 Widener/SL  
Motion of debtors (filed 10/4; d/e # 72) to determine if debtors are in Default  
pursuant to Notice of Default filed 9/27 by Meritech Mortgage (Motion #2 was  
filed 5/30/00; d/e # 25) *contd from 11/2*  
–***MOTION withdrawn by Order of 1/6; final report filed 1/21***

**2:00 P.M. - PRE-TRIAL CONFERENCES**

Bledsoe SUZANNE GREENE 04-03187 Wick/GR  
AP 04-7140: Obj to or Revoke Discharge  
U. S. Trustee (Cosby) v. Debtor  
Response filed 1/3; #4

Bledsoe JANNA JOHNSON 04-3192 Wick/NS  
AP 04-7141: Obj to or Revoke Discharge  
U. S. Trustee (Cosby) v. debtor  
Answer filed 12/30; # 4

Collins CHARLES BOOHER 04-74179 Jessee/GR  
AP 04-7145: Det.dischargeability  
American General Financial Services of America (Rogers) v. Debtor  
Answer filed 12/30, #4  
–*see AP 04-7147 also set for ptc on 3/21 @ 2:00*

**2:00 P.M. - MISCELLANEOUS**

Hastings/  
Thompson FIVE FORTY PARK CORPORATION 03-4746 DIP/JJ  
Application of Trustee for compensation of LeClair Ryan Flippin Densmore filed  
1/20; #159, 164, 169, 170 & 171

Copeland FRANKLIN J. SUTHERLAND 01-3593 Callahan/NS  
Motion of Trustee to Compel Responses to Interrogatories and for Sanctions  
filed 1/20; #183 (*in case file?; may have been intended for AP file; atty notified*)

Copeland APPALACHIAN RESOURCES INC 04-1871 DIP/SL  
Motion for Distribution & Disbursement of remaining portion of Debtor counsel's  
approved fees filed 2/2; # 243, 244

**2:00 P. M. - MISCELLANEOUS**

|           |                              |        |                              |
|-----------|------------------------------|--------|------------------------------|
| Copeland  | COAL RIVER RESOURCES         | 04-988 | DIP/NS                       |
| Copeland  | STEVEN R. MULLINS EXCAVATING |        |                              |
| Leonard   | TRI-STATE LEASING CORP       |        | (Jointly administered cases) |
| Goldstein | HOLLOW MOUNTAIN RESOURCES    |        |                              |

Hollow Mountain Resources: (Goldstein)

1) Adequacy of Disclosure Statement, ECF#437, 440, #456(amended ntc)

**Objections:** Official Creditors Committee (Callahan) filed 1/14; #508

Euler Hermes ACI (Esposito) filed 2/2; # 534

U. S. Trustee filed 2/2; # 533 (Garber)

Coal River Resources ( Copeland)

1) AP 04-07146, Euler Hermes ACI(Esposito) v. debtors: to obtain declaratory judgment filed on 12/23

***–Order of 2/1 contd Pre-Trial to 3/21 @ 2:00***

2) Motion of Appalachian Power Company filed 1/10; #498 to Appoint Creditors Committee (W. King) w/notice filed 1/13; #504

3) Third Interim Fee Application by LeClair Ryan Flippin Densmore filed 1/14; #507

4) Showcause hearing: if fails to comply with order of 9/20/04 directing filing of DS & Plan *filed for all cases EXCEPT Coal River*  
- *extension to file granted to 2/4 in ord contg from 1/19*

5) MOTION to convert case to chapter 7 or dismiss case filed by UST (Garber) on 12/22 d/e #473 - *contd from 1/19*

6) Motion to Vacate Order granting Joint Motin to Assume Executory Contract Filed by Euler Hermes ACI (Esposito) on 12/23; #479 *contd from 1/18*